

**WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF WEST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF WEST GOSHEN TOWNSHIP TO REQUIRE AN ANNUAL RENTAL LICENSE FOR PERSONS PROVIDING RESIDENTIAL RENTAL UNITS; DEFINING TERMS; PROVIDING FOR INSPECTIONS AND FEES; AND PROVIDING PENALTIES FOR VIOLATION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors of West Goshen Township has enacted the Code of Ordinances of West Goshen Township which contains, *inter alia*, provisions governing rental properties in West Goshen Township; and

WHEREAS, the Board of Supervisors desires to promote the health, safety, and welfare of the residents of West Goshen Township by establishing requirements and procedures for the issuance of an annual rental license for persons providing residential rental units, and by establishing penalties for violations thereof;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of West Goshen Township, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

I. Chapter 75 of the Code of Ordinances of West Goshen Township is amended to add a new Article II as follows:

“ARTICLE II. Registration and Inspection of Rental Units

§75-6. Definitions. When used in this Article, the following terms shall have the following meanings:

RENTAL UNIT

One or more rooms in a residential use used for living and/or sleeping purposes by a person or persons for a period in excess of 15 days, and not occupied by the owner of the residential use.

LANDLORD

A lessor, owner, or person who acts as agent for a lessor or owner, who leases or otherwise allows a tenant to live and/or sleep in a rental unit.

PERSON

Any individual, partnership, association, firm, or other corporate entity.

TENANT

A person or persons who have the use, either separately or with others, of a rental unit.

§75-7. Annual Rental License Required.

On or before December 30 of each year, every landlord must apply for and receive a rental license for each rental unit for the following year. Applications shall be filed with the West Goshen Township Codes Department and shall contain, at a minimum, the name, address and contact information for the landlord and the names, addresses and contact information for all tenants. Landlords shall file updated rental license applications within 10 days of any change in ownership of a rental unit and within 10 days of any change in tenant(s).

§75-8. Registration Fee.

Each application for a rental license shall be accompanied by a fee established by resolution of the Board of Supervisors. The fee may be amended from time to time by resolution of the Board of Supervisors. The fee shall cover an initial inspection and one follow-up inspection, if necessary, of each rental unit. Additional inspections beyond the follow-up inspection, if necessary, shall require the payment of an additional fee to be established by resolution of the Board of Supervisors, which may be amended from time to time by resolution of the Board of Supervisors.

§75-9. Inspection of Rental Units.

Following the submission of an application for a rental license, and prior to the issuance of a rental license, the West Goshen Codes Department shall inspect each rental unit. The landlord shall provide access to the rental unit for inspection in a timely manner during regular business hours. The inspection requirement may be waived in the sole discretion of the Codes Department if an inspection has been conducted within the preceding 90 days. The inspection shall confirm compliance with all applicable statutes and ordinances including, but not limited to, the International Property Maintenance Code and the following requirements:

- A. Each dwelling unit has the required smoke detectors in proper working order on each floor and in every bedroom and outside of the bedroom area, and that all multiple dwelling units have properly marked fire exit routes, fire exit signs, and emergency lighting.
- B. All windows operate properly with no broken, cracked, or missing glass, have appropriate insect screening installed and are in satisfactory condition. All windows other than fixed windows, shall be easily openable and able to be held in position by window hardware.
- C. All stairways both interior and exterior are unobstructed and clear of all trash and debris and that all stairways with three or more risers have appropriate handrails installed. Any landing 30 inches above a floor or grade shall have a properly installed guard.
- D. All doors, including garage doors, are in proper working order, shall close smoothly, and egress door locks shall comply with Section 702.3 of the Property Maintenance Code, as may be amended.
- E. All elevators are in operating condition and display a current certificate of inspection and capacity.

- F. All porches, balconies, and decks are in safe condition, in good repair, and have appropriate railings installed.
- G. Each dwelling unit complies with the applicable parking requirements of the current Zoning Ordinance except if the unit was functioning in its current use prior to the requirements of the current or prior Zoning Ordinance.
- H. All parking lots, driveways, and parking spaces are in good paved condition and free of all debris.
- I. No cars, trucks, motorcycles, motorbikes, or other motor vehicles are on the property with expired tags and/or inspection and/or emission stickers and that no fuel driven motors of any type are stored inside any dwelling unit.
- J. Curbs, sidewalks, steps, stairways, and walkways are in good condition and repair and free from any trip hazards.
- K. Gutter and downspouts are in good condition and repair and that neither they nor any sump pump is connected to the sanitary sewer.
- L. All central heating devices, hot water heating devices, and plumbing fixtures are in safe and proper working order. Water levels in toilets shall not be above the fill line so that the fixture is not losing water. Water heater relief valves must have a drop pipe installed 6 inches from the floor.
- M. All fencing is in good repair.
- N. All lawn areas are trimmed so that the height does not exceed 6 inches, and that all trees, hedges, and bushes are properly trimmed.
- O. The property is clear of all debris.
- P. The property is being used in accordance with the zoning ordinance.
- Q. The property is clearly identified on the building and on the mailbox as required by the Property Maintenance Code.
- R. All vegetation shall be at least 3 feet from the roadway and not less than 15 feet above the roadway. No signs shall be obstructed by vegetation.
- S. Working carbon monoxide detectors are required for all homes built under the 2009 Building Code. It is recommended that all homes built prior to the 2009 Building Code that burn fossil fuel or have an attached garage install a carbon monoxide detector outside of the sleeping rooms.
- T. GFCI's shall be installed within 6 feet of the edge of any sink, tub, or laundry tub.
- U. Knockout bushings shall be installed in all openings within the main service panel.

V. If a swimming pool or hot tub is installed, all specifications for barriers and gates under Section 303 of the Property Maintenance Code, as may be amended, must be followed.

W. If the property is not connected to the public water system, a well test must be completed to show that the water is bacteria-free.

X. Sanitary sewer vents and cleanouts shall be installed above grade and must be properly capped. Nothing may cover these vents including landscaping and mulch.

Y. Properties served by a private sewer system must provide documentation with the date of the last pump out.

If any of the above-referenced requirements are not in compliance with the applicable code, the Codes Department shall notify the landlord accordingly, and no rental license will be issued for the non-complying rental units until they are brought into compliance with the provisions of the applicable code. A follow-up inspection shall be scheduled once the appropriate repairs have been made.

§75-10. Penalties.

Any person who shall violate any provision of this Article II, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300.00 nor more than \$1,000.00 plus costs and attorneys' fees expended by the Township in prosecuting such case and, in default of payment of said fine, costs, and fees, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Article II continues or each provision of this Article II which shall be found to have been violated shall constitute a separate offense."

II. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.

III. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code of Ordinances of West Goshen Township.

IV. This Ordinance shall become effective five (5) days following its legal enactment.

ENACTED and **ORDAINED** this _____ day of _____, 2018.

ATTEST:

**BOARD OF SUPERVISORS OF
WEST GOSHEN TOWNSHIP**

Casey LaLonde, Township Secretary

Christopher Pielli, Esquire, Chair

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Robin Stuntebeck, Vice-Chair

Mary R. LaSota, Esquire, Member

Hugh Purnell, Jr., Member

Edward G. Meakim, Jr., Member

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